

*ABC
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1. Attempted several times to reach Mr. Harry Van Cleave in the General Counsel's office of OSD. Failing to reach him, I attempted to call General Loper and talked with a Colonel Crosson in his office. Crosson repeated the DOD position that CIA should not be in the Executive Order relating to delegation of authority to make determinations under the Atomic Energy Act. He further indicated that for the purposes of the [] conference [] if the Agency furnished types of information desired to [] DOD and AEC would secure the necessary Presidential determination. In response to a specific query he indicated CIA would not need to be included but could utilize established channels with the approval of DOD and AEC.

2. Discussed the same subject as above with General Starbird of AEC. His position was entirely consistent with Colonel Crosson's except that in answer to a query he stated that a joint DOD/AEC request to the President for determination for the [] conference could include CIA for transmission purposes. This matter is being brought to the Director's attention. ✓

3. A follow-up call was made to Bill Fisher in the Bureau of the Budget on the status of the Atomic Energy Executive Order. He indicated that State was satisfied with the Bureau's draft substitute Order, that the Defense position was not clear but should be in on Monday, and that it was difficult to determine when the Atomic Energy Commission position would be made known. The Commission is out of town at the moment and is not scheduled to meet again until [] unless a special meeting is called.

**RIGHTS
JOHN S. WARNER
Legislative Counsel**

cc: DD/S
Col. Grogan